1 Amendments to the Claims:

2   This listing of claims will replace all prior versions, and listings, of claims in the

3 application:

4 <u>Listing of Claims:</u>

5 Claim 1 (previously amended):

6   1.   A method for determining the level of a carbonated fluid in a container

7 comprising:

8   obtaining a container having an outlet for a first carbonated fluid and an inlet for

9 introducing carbon dioxide;

10   said container having a first carbonated fluid region therein;

11 a first carbonated fluid being present at an original level in said first carbonated fluid

12 region of said container;

13   said container, for when in use, having said first carbonated fluid at least

14 partially removed from said container while introducing carbon dioxide to said container

15   thereby forming a second carbonated fluid region;

16   placing on at least one exterior surface of said container at least one

17 temperature-measuring device;

18   at least one said temperature-measuring device being located in a region of said

19 container where said second carbonated fluid region is formed by removal of said first

20 carbonated fluid;

21   initially observing a first temperature in said first carbonated fluid region of said

22 container when said first carbonated fluid is present in said first carbonated fluid region

23 of said container;

24   subsequently observing a second temperature in said second carbonated fluid

25 region of said container after a portion of said first carbonated fluid has been removed;

26 and,

27   correlating the difference between said first temperature and said second

28 temperature to the level of said first carbonated fluid in said container.

Claim 2 (original): The method for determining the level of said first fluid in said container according to claim 1 wherein said first fluid is at least partially withdrawn through said outlet between the time of observing said first temperature and said second temperature.

Claim 3 (original): The method for determining the level of said first fluid in said container according to claim 1 wherein the second fluid is introduced through said inlet between the time of observing said first temperature and said second temperature.

Claim 4 (previously canceled).

Claim 5 (previously canceled).

Claim 6 (original): The method for determining the level of said first fluid in said container according to claim 1 wherein said temperature-measuring device is adhered to an outer surface of said container as a magnetic strip.

Claim 7(previously canceled).

Claim 8 (original). The method for determining the level of said first fluid in a container according to claim 1 wherein at least one temperature-measuring device is a eutectic temperature-measuring device.

Claim 9 (previously canceled).

Claim 10 (previously amended): The method for determining the level of said first fluid in said container according to claim 1 wherein said container is in a refrigerator.

Claim 11 (original): The method for determining the level of said first fluid in said container according to claim 1 wherein said first fluid is a liquid.

Claim 12 (previously canceled).

Claim 13 (previously amended): The method for determining the level of said first fluid in said container according to claim 1 additionally comprising the step of wiping the temperature-measuring device with a water moistened cloth wherein the temperature of the water moistened cloth is less than 105 ° F.

Claim 14 (original): The method for determining the level of said first fluid in said container according to claim 1 wherein the pressure within said container at 70 °F is about 5 pounds per square inch to about 100 pounds per square inch.

1   Claim 15 (original): A temperature-measuring device mounted on a magnetic strip said

2   temperature measuring device having a width, a height, and a thickness, provided

3   further that the dimensionless ratio of said width to said height is about 0.5 to about 10

4   to about 1 to about 5.

5   Claim 16 (original): The temperature-measuring device according to claim 15 wherein

6   the dimensionless ratio of said width to said height is about 0.7 to about 10 to about 1

7   to about 4.

8   Claim 17 (previously amended): The temperature-measuring device according to

9   claim 15 wherein said device measures temperatures in the range of about 34 ° F to

10   about 94 ° F.

11   Claim 18 (original): The temperature-measuring device according to claim 15 wherein

12   said device measures temperatures in the range of about 34 ° F to about 86 ° F.

13   Claim 19 (original): A temperature-measuring device mounted on an adhesive strip

14   said temperature measuring device having a width, a height, and a thickness, provided

15   further that the dimensionless ratio of said width to said height is from about 0.5 to

16   about 10 to about 1 to about 5.

17   Claim 20 (original): The temperature-measuring device according to claim 19 wherein

18   the dimensionless ratio of said width to said height is about 0.7 to about 10 to about 1

19   to about 4.

20   Claim 21 (original): The temperature-measuring device according to claim 19 wherein

21   said device measures temperatures in the range of about 34 ° F to about 94 ° F.

22   Claim 22 (original): The temperature-measuring device according to claim 19 wherein

23   said device measures temperatures in the range of about 34 ° F to about 86 ° F.

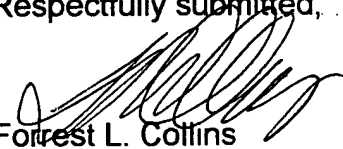24   Claims 23 through 33 (cancelled).

25

1 REMARKS

2   The claims made herein reduce the issues on appeal. Entry of this amendment

3 is requested

4   Respectfully submitted,

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